PATENT

REMARKS

Claims 1-14, 16-19, 25-29, 32-34, 36, 38, 43 and 48-53 are in the case. Claims 15, 20-24, 30-31, 35, 37, 39-42, and 44-47 are cancelled. Claims 48-53 are new.

Claim Rejections under 35 U.S.C. § 102(b)

In response to the most recent office action, Applicant addresses the references cited against Applicants' claims:

In the Office Action, at pp. 4-23, Examiner stated that all of the then pending claims were rejected under 35 U.S.C. § 102(b) as being anticipated by "WebPosition Gold 1.0 Help File" ("WPG"). Further, in pages 23-25 of the Office Action, the Examiner Claims 1 and 25-28 as being anticipated under 25 U.S.C. § 102(b) by materials in the Selfpromotion.com Home Page ("SelfPromotion.com"), the Submit It! User's Guide ("Submit It"), and 1NewsBriefs: Promotional Tools ("1News"). All of these rejections are traversed by amendment to the claims as well as by the arguments set forth below on a claim by claim basis.

In rejecting Claim 1 of the present invention, the examiner cites that part of the WPG reference which provides a user with tips on content that he or she can add into webpages in an attempt to obtain high search engine rankings. Most of the discussion is about comparing pages, analyzing, and editing content. The WPG reference discusses what Webposition defines as "rules" downloaded from a Webposition site. These rules are merely regurgitated from the various Internet cataloging engines (commonly referred to and hereinafter referred to as "search engines") and express what URL's each search engine will and will not accept for submission. If a user submits an improper URL, the WPG system will alert the user that the URL violates a rule but the WPG system will not take any action based on the violation and submit the URL anyway.

11

Further, the Examiner uses the WPG reference to distinguish between an automatic and a manual submission. The WPG reference discusses the submission of a URL either manually or by using what the WPG reference calls a "mission." Missions are not automatic. They are set up by the user for the submission of one or more particular URL's. The WPG reference teaches that a user can set up a mission by saving the name and location of a page and choosing from a list of search engines to submit to. Once "mission" data is entered (such data is essentially the URL to be submitted and the search engine to which the submission is to be made), the WPG system simply submits the data to the search engines on a periodic basis. No rules are applied to the mission—not the rules of the search engine or any other rules. In sum, every feature of the system disclosed in the WPG reference requires action by the user, except for the actual submission of URLs which is done by the WPG system.

The Examiner also cites materials from Selfpromotion.com, Submit It!, 1NewsBriefs as anticipating Claim 1 under 35 U.S.C. § 102(b). All of these references are equally limited to the manual submission of websites, URLs and key words to submission systems. While these systems may offer additional services, such as reviewing the search engine positioning results, such additional services are not relevant to the present invention. Of all of the systems cited by the Examiner against the present invention, the WPG system is given the greatest consideration and appears the closest to the present invention—however; even the WPG system offers far less capability than the present invention and certainly does not contain not disclose the features of the present invention that make it novel and patentable. These unanticipated features of the claimed invention are addressed below

A primary feature of the present invention recited in Claim 1 that are not part of the WPG reference or any of the other cited references is that the present invention does not require action

12

STOB-0001   **PATENT**
Serial No. 09/585,812
Response to Office Action of May 12, 2005

by the user at every step to determine what should be submitted to the search engines. The

language for this feature is found in the second and third listed steps of the method as listed in

Claim 1:

> "determining if the file name is to be submitted to at least one Internet
>
> cataloging engine, and
>
> submitting an acceptable uniform resource locator containing the file
>
> name to each of the at least one Internet cataloging engines, each submission
>
> being made in accordance with a set of rules associated with the corresponding
>
> Internet cataloging engine"

Specifically, nothing in the any of the cited references discusses the step of <u>determining</u> if a

particular file name should be submitted to at least one search engine. In the WPG reference,

like the other cited systems, the users are instructed to enter what they want to be submitted

directly. In Selfpromotion.com. for instance, the users are instructed to "include as many

keywords as you can think of." In the present invention, the submissions are determined

automatically by the method in the processing of the above listed steps. The method involves

analyzing the website that is entered by the user and developing a list of all of the URLs to

submit. Then, the present method determines which of the URLs to submit. Significantly, the

present method, unlike the systems in the cited references, does not blindly submit everything

that appears to be URL so that some of the submissions are rejected.

This determination step that is found in the present invention that is not found in the

systems or methods disclosed in the cited references can be likened to an automatic filtering step

in which the present method processes the URLs against a set of submission parameters to

determine which of the URL's associated with a webpage may be submitted to one or more

PATENT

search engines and which should not be submitted. If a given file or URL does not meet all of

the submission parameters, the method will proceed to determine that the given file or URL

should not be submitted and then forego submission of said file or URL. None of the cited

references contain any step in their described systems that would anticipate this step. The benefit

of weeding out bad URL's is that the search engines [INSERT].

Another feature of the present invention as claimed in Claim 1, which is not contained in

any of the cited references is the submission of webpages in accordance with a set of submission

parameters. The specific language in Claim which evidences this distinction is found in the

Claim at:

"... each submission being made in accordance with a set of submission

parameters ..."

The system described in the WPG reference does not make any decisions or submissions

associated with a set of submission parameters. At best, the WPG system merely brings to a

user's attention the rules that a search engine will apply to submitted content and whether under

the search engine's rules the submission will be accepted. Whether or not it will be accepted, the

WPG system will still submit the file or URL to the search engine in accordance with the user

instructions. While the WPG system may issue a warning that the submission is not conforming;

the WPG system does not have any capability to alter its submission processing. None of the

other cited references even address this situation—much less how they would handle it. Again,

in contrast, the present invention acts upon the submission parameters and applies them without

human intervention, making the invention more efficient and useful.

A third aspect of the present invention which is not found in any of the cited references is

that the submission parameters may consist of rules established by one or more search engines

14

that are prerequisites for an acceptable submission or they may also consist of user-defined rules

to help optimize the search engine results for the materials submitted. In other words, the

"submission parameters" in the present invention are not merely limited to a search engine's

rules of acceptability but may be generated independent of the search engine so that the

acceptance of the URLs submitted to the search engines is greatly increased or can be tailored to

achieve a desired result. For instance, the present invention allows a user to include certain

submission parameters of his/her own choosing which can be applied to URLs before submission

is made, such as: (a) do not submit the URL if the webpage has not changed; (b) test the

webpage code for errors before submitting a URL and do not submit a particular webpage if

there are errors; and (c) filter out undesirable URLs such that URLs that contain certain words or

phrases. This is a critical difference between the present invention and all of the cited references,

that is, the present invention does not just submit URLs to search engines (even if the URLs are

valid and could be submitted), it allows the user to establish certain criteria that governs

submission of URLs to search engines and the invention automatically applies the criteria so that

only the desired URLs are submitted to the search engines. None of the systems in the cited

references have this capability or in any way disclose this methodology.

Accordingly, neither the WPG reference nor any of the other cited references describe the

present invention as it is claimed in Claim 1. None of the references anticipate all of the claimed

features of the present invention as set forth in Claim 1 and thus none can be considered a proper

102(b) reference against Claim 1.

In rejecting claim 2 of the present invention, the Examiner cites the section "Submitter",

subsection "Mission Tab" of the WPG reference. This material is taken out of context and does

not apply to claim 2. This particular section of the WPG reference merely states that when a

15

report is generated and a report is specific to one particular domain, only the webpages that

reside on that particular domain will be displayed. Like the remark made in connection with the

rejection of Claim 1, the system described in the WPG reference makes no distinction between

URL's that are part of a mission and will thus submit all of them whether they will be accepted

by the search engine or not. The WPG system will then store every submitted URL so that a

Report Rankings page can be generated—which is the "storage" discussed by the WPG

reference.

Claim 2 of the present invention relates to an entirely different "storage" step because the

language "storing only the file names known to be webpages" refers to storing only those URL's

which are in accordance with the "set of rules." The result is that URL's which do not conform

to the set of rules will not be stored. In this regard, the storage step acts as another filter to weed

out the submission of improper URL's. Put another way, Claim 2 is not anticipated by the WPG

reference because the present invention distinguishes between files that do not need to be

submitted to search engines for indexing--such as those that are not webpages and those that are.

Therefore Claim 2 of the present invention is not anticipated by the WPG reference.

In rejecting claim 3 of the present invention, the examiner references the wording in the

WPG reference that states "In addition...Webposition supports unlimited pages" in the section

"Submitter", subsection "Mission Tab". The material discussed in this section of the WPG

reference is irrelevant and does not apply to claim 3. WPG is merely stating that when a user

manually creates a mission they may then type in and save a webpage's URL (which is a pointer

to the webpage) as they choose. The present invention is specifically claiming the saving of "the

entire webpage" content associated with the uniform resource locator and not merely a pointer to

the webpage. The advantage of this feature of the invention is that it allows the user to look at

16

STOB-0001   **PATENT**
Serial No. 09/585,812
Response to Office Action of May 12, 2005

the webpage compare it to what was on the webpage when it was previously submitted to

determine whether there is new matter on the web page, and, in turn, whether a new submission

needs to be made. Accordingly, Claim 3 of the present invention is not anticipated by the WPG

reference.

In rejecting claim 4 of the present invention, the examiner references the part of the WPG

reference that states that when a report is generated and a report is specific to one particular

domain, only the webpages that reside on that particular domain will be displayed. Claim 4 of

the present invention is not anticipated by the examiners reference because the present invention

distinguishes between files that were submitted to at least one search engine already and those

that weren't. Those that were submitted and accepted can be stored, those that weren't submitted

and accepted will not be saved. Thus, the step added in Claim 4 acts as an additional filter to

ensure only proper content (content that has been previously submitted and accepted) is stored

for resubmission to the search engines. The system in WPG has no such filtering step in its

storage and thus does anticipate Claim 4 of the present invention. .

In rejecting claim 5 of the present invention, the examiner references the same part of the

WPG reference that was referenced to reject Claim 3 of the present invention. The remarks

apply to this rejection as well; namely, that the system described in the WPG reference does not

permit the storage of the entire webpage—rather only the pointer to the webpage. Further, the

WPG system stores all materials submitted regardless of whether the materials were successfully

submitted and accepted or not. Accordingly the WPG reference does anticipate Claim 5 of the

present invention.

In rejecting Claim 6 of the present invention, the examiner references the WPG reference

and particularly the section "Reporter", subsection "Creating a Mission", subsection "Customize

17

STOB-0001   **PATENT**
Serial No. 09/585,812
Response to Office Action of May 12, 2005

Tab, specifically "Run Date – Date the Mission was run in MM/DD/YYYY format" and "Engine – Search engine used." This material is taken out of context and is completely irrelevant when applied to Claim 6 of the present invention. The WPG reference evidences a system that is saving the date that a particular Mission was run as well as the search engine used. These items are generated as a result of the WPG system performing an automated search of a search engine for keywords identified by the user. Once the automated search has been run, the date of the search is stored, as well as the identity of the search engine that was searched. The present invention is referring to the storage of information related to the <u>submission</u> of the webpage to the search engine, not of an automated search. In the present invention, the date the webpage URL was submitted and the identity of the search engine to which it was submitted is saved. Such information is useful in developing new sets of rules for optimizing the best times to resubmit the same pages to the search engines. In any case, given the important distinction between the information saved, Claim 6 of the present invention is not anticipated by the WPG reference.

In response to the Examiner's rejection of Claim 7, Applicant points out that the present invention step of "determining which file names are to be submitted to the Internet cataloging engine" is an automated process using "a set of rules" as defined in the present invention description such as: "time for resubmittal, date of resubmittal, after checking to see if the URL is already indexed in an Internet cataloging website, after checking to see if the indexed URL has achieved an acceptable ranking, after checking to see if the indexed URL has achieved an acceptable ranking for user specified keywords" to determine whether or not to submit or resubmit a particular webpage. The portion of the WPG reference that the examiner's cites to reject Claim 7 merely states a step whereby an individual lists which pages are to be submitted to

18

a search engine, which is clearly not the same as the process of the present invention to determine whether or not to submit a webpage. Claim 7 is therefore not anticipated by the WPG reference.

In response to the Examiner's rejection of Claim 8, the claim has been amended so that it is now an automated step whereby the system opens a file and URLs. The "URLs Tab" section of the WPG reference cited by the examiner is discussing the manual entry of files, which in the case of system described in the WPG reference are the website pages and not the source of the input. Claim 8 is therefore not anticipated by the present invention.

In response to the Examiner's rejection of Claims 9 and 10, Applicant notes that the present invention will search through web pages to obtain additional pages to submit. The present invention can then process these pages and determine whether to submit them in accordance with the submission parameters. In rejecting these two claims, the examiner stated that system described in the WPG reference will verify that a page exists. However, this fact is not relevant to claims 9 and 10, in that the WPG system will not generate any new pages for submission.

The examiner then mentions that search engines may spider pages looking for additional pages—but to be clear a spider is not part of the WPG system and even if it was considered to be part of that system, the user is at the mercy of the spider as to which URLs actually get submitted to the search engine. In stark and significant contrast to that approach, the present invention searches pages itself and acts on that information to decide whether to submit the additional pages or not. This is significantly different than relying on the action of the search engine spider to include new pages in the search engine database because a search engine spider in no way provides any useful information back to the WPG system. In the present invention, the

19

information regarding additional pages is stored by the method and monitored by the method so

that it may be used by the method to automatically submit the additional pages to the search

engines. Claims 9 and 10 are therefore not anticipated by the WPG reference.

In response to the Examiner's rejection of Claim 11, the import of this step is that the

present invention is able to create a full URL by assembling the necessary pieces as it scans

through directories. Search engines will accept only URLs which are complete and contain all

the necessary information to be able to retrieve the webpage to which the URL is pointing. The

protocol, such as "http://"; the domain name, such as "domain.com"; and the file name, such as

"file.html"; are all needed to create a complete URL that the search engine can understand, e.g.,

http://domain.com/file.html. Claim 11 is directed to a step in the present invention wherein the

present invention scans through directories to generate full URLs from pieces of information in

the directories. Nothing in the prior art cited by the Examiner anticipates this claimed feature of

the present invention. Accordingly, the WPG reference does not anticipate Claim 11.

In response to the Examiner's rejection of Claim 12, there is a crucial difference from the

present invention of claim 12 and the WPG reference section to which the examiner cites. The

present invention has the extra step of "checking the submission rules associated with the

Internet cataloging engine to submit the file name to". This step allows the present invention to

determine if there are any rules to be applied before submission. As stated throughout these

remarks, the system disclosed in the WPG reference does not do this. The WPG system submits

regardless of whether the submitted URL violates a rule and will be deemed unacceptable. An

example a rule in the present invention's set of rules that could be applied before a submission

occurs would be a rule that states "only make a submission of a particular webpage if the page

has an acceptable page ranking in the search engine." The definition of an acceptable page

PATENT

ranking may be specified by the user. Nothing in the prior art cited by the Examiner anticipates this step. Accordingly, the WPG reference does not anticipate Claim 12.

In response to the Examiner's rejection of Claim 13, Applicant references its remarks in response to the rejection of Claim 7. Further, Applicant remarks that "user-defined rules" ore more properly "user-defined submission parameters" as defined in the present invention, are not anticipated or even alluded to anywhere in the WPG reference (or any other reference for that matter). A user defined submission parameter is just that, a parameter that the user can define such as the disclosed example of the user limiting the number of links to be submitted. The WPG system does not offer the capability of user defined rules, nor does it teach or otherwise disclose such a step.

In response to the Examiner's rejection of Claim 14, Applicant has amended the claim so that the additional step in the method includes the application of a set of rules to a directory of one or more URLs. The WPG system does not offer the capability of user defined rules, nor does it teach or otherwise disclose such a step. Accordingly, the WPG reference does not anticipate Claim 14.

In response to the Examiner's rejection of Claim 16, the present invention allows a user to list files that are not to be submitted to search engines from a list of all available files for submission. This "back-out" step is different from anything disclosed in the WPG reference which states a user must constantly, and manually, enter in every page to be submitted to a search engine as pages change or are added. Accordingly, the WPG reference does not anticipate Claim 16.

In response to the Examiner's rejection of Claim 17, the present invention may automatically review a URL to determine whether it is in an acceptable form and then

21

STOB-0001   **PATENT**
Serial No. 09/585,812
Response to Office Action of May 12, 2005

automatically modify the URL into an acceptable form if such modification is needed. The

system disclosed in the WPG reference does not offer or disclose this capability. The WPG

system can only verify the presence of the webpage and provides a warning message to a user if

the page failed to be submitted. The WPG system cannot in any way automatically modify a

URL to make it acceptable for submission. Accordingly, the reference does not anticipate Claim

17.

In response to the Examiner's rejection of Claims 18 and 19, the cited section of the

WPG reference makes no reference to the "storage" of files. Claims18 and 19 specifically add a

step to the present invention as follows: "storing file names known to be webpages that exist on

the website being managed." The WPG reference contains no disclosure of a step that permits

storing webpages both internally and externally, and thus does not anticipate Claim 18 or Claim

19 of the present invention.

In response to the Examiner's rejection of Claim 25, Applicant combines and restates by

reference the remarks made in response to the rejections of claims 1 and 11. Specifically, none

of the references cited by the examiner anticipate Claim 25 because nothing in any of the

references discloses the capability of creating a full URL that may be submitted to a search

engine from the assembly of fragments of information related to a given URL.

In response to the Examiner's rejection of Claims 26 and 27, Applicant combines and

restates by reference the remarks made in response to the rejection of claims 1 and 25.

In response to the Examiner's rejection of Claim 28, Applicant has amended the claim

narrowing several steps in the method such that they are performed automatically by the process

and without manual entry of certain data.

22

STOB-0001   **PATENT**
Serial No. 09/585,812
Response to Office Action of May 12, 2005

As to dependent claims 29, 32-34, 36, 28 and 43 all of which are dependent on claim 28, the rejections are herein mooted since Applicant herein submits amendment to Claim 28 automating several of the steps in the method. However, Applicant believes that the claims are patentable at least for reasons analogous to those stated above regarding Applicant's remarks in response to the rejection of claims 1-11.
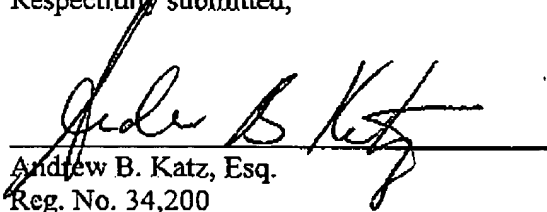
Claims 48-53 are new and pending without any rejection. The remarks set forth herein, and particularly those that are made with respect to the rejections of Claims, 1, 11 and 25 are applicable to these claims and should preempt and rejection made under 35 U.S.C. § 102(b) based on any of the cited references.

Applicant believes that Applicant has fully responded to the Examiner's concerns and that all grounds of rejection and objection have been traversed or obviated, and that the rejections and objection should be withdrawn, and the application allowed.

Applicant requests that any questions concerning this matter be directed to the undersigned at (215) 659-3600 ext. 103.

Respectfully submitted,

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23